

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

STEPHEN MULLINS,

CIVIL NO. 08-5152 (JNE/JSM)

Petitioner,

v.

ORDER

DWIGHT FONDREN,
Warden at FCI Sandstone,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated October 22, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

Dated: November 19, 2008

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge